

REMARKS

This Response is submitted in reply to the Office Action dated March 12, 2007. Claims 1, 2, 13, 24 and 29 have been amended. No new matter has been added by any of these amendments. Claim 19 stands canceled without prejudice or disclaimer. Claims 29 to 38 stand allowed.

A Petition for a One-Month Extension of Time to respond to the Office Action is submitted herewith. Please charge deposit account number 02-1818 for any fees due in connection with this Response.

The Office Action rejected Claims 1 to 18 and 20 to 28 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,572,471 to Bennett. Applicants respectfully disagree. Nonetheless, to expedite prosecution of the present patent application, certain of the claims have been amended to clarify these claims.

Bennett discloses a slot machine with a matrix of selectable elements or zones. A control program randomly associates prizes with a predetermined number of the zones. In operation, upon pressing the start button, a player may immediately select a zone. If the player does not select a zone within a predetermined time, the game will commence revealing zones randomly until all zones with associated prize values have been revealed. When each zone is selected, either by the player or the game, the selected zone will change state to indicate that it has been selected and remain in its new state until the end of the game. If any selected zone has a prize associated with it, it will indicate the value of that prize. If the game continues until there is only one unselected zone and the player still has not made a selection, the last zone will be automatically taken to the player selection. If the zone selected by the player, or allocated to him has a prize associated with it, that prize will be credited to the player. In one version, the game does not end when a player makes their first selection. Instead, the player is given two (or possibly more) selections and can potentially win more than one prize. In this version, the player may make two (or more) selections before the game ends with the game ending when the player makes his second (or last) selection, or when the number of remaining selections available to the player is equal to the number of elements remaining available to be selected.

Amended independent Claim 1 is directed to a gaming device including, amongst other elements, at least one display device operable to display a game resulting from a wager, the game including a plurality of symbols and a plurality of independent rounds. The gaming device includes a controller configured for the play of the game to randomly determine for each of a plurality of the independent rounds whether to assign at least one of a plurality of items to at least one, a plurality of or all of the plurality of symbols, wherein the determination for each round is independent of the other rounds.

Similar to amended independent Claim 1, amended independent Claims 13 and 24 are each generally directed to a method of operating a gaming device, for a play of a game resulting from a wager the method includes, amongst other elements, randomly determining to assign at least one of a plurality of items to at least one, a plurality of or all of the symbols, and (i) for each of the items, if the random determination is to assign the item to one of the symbols, assigning the item to one of the symbols, (ii) for each of the items, if the random determination is to assign the item to the plurality of symbols, assigning the item to the plurality of symbols, and (iii) for each of the items, if the random determination is to assign the item to all of the symbols, assigning the item to all of the symbols. The method includes a plurality of independent rounds in the play of the game, wherein the determination in each of the rounds is independent of the other rounds.

Applicants submit that Bennett does not disclose a plurality of independent rounds in the game wherein the determination for each round is independent of the other rounds. Rather, in Bennett the random association of prizes with zones and the selection of multiple zones occurs for one play of a game. That is, even if each selection of a zone of Bennett is interpreted as an independent round, Bennett still does not disclose a play of a game resulting from a wager wherein for each of the independent rounds a random determination occurs whether to assign at least one of a plurality of items to at least one, a plurality of or all of the plurality of symbols. On the other hand, as discussed during the telephone interview, the gaming device/methods of operating a gaming device of amended independent Claims 1, 13 and 24 each generally include a plurality of independent rounds in a game resulting from a wager,

wherein the determination for each round is independent of the other rounds for a play of the game. For this reason alone, Applicants respectfully submit that amended Claims 1, 13, and 24 are patentably distinguished over Bennett and in condition for allowance.

Moreover, as discussed during the telephone interview, Bennett does not disclose randomly determining to assign at least one of a plurality of items to at least one, a plurality of or all of the symbols. That is, in Bennett one item, such as a prize or no prize, is associated with each zone upon the commencement of the game. On the other hand, the gaming device/methods of operating a gaming device of amended independent Claims 1, 13 and 24 each generally include randomly determining to assign at least one of a plurality of items to at least one, a plurality of or all of the symbols. For this reason alone, Applicants respectfully submit that amended Claims 1, 13, and 24 are patentably distinguished over Bennett and in condition for allowance.

Claims 2 to 12, 14 to 18, 20 to 23 and 25 to 28 depend directly or indirectly from independent Claims 1, 13, and 24 respectively, are also allowable for the reasons given with respect to Claims 1, 13, and 24 and because of the additional features recited in these claims.

Moreover, as discussed during the telephone interview, Applicants have amended previously allowed Claim 29 to clarify that the method of operating a gaming device includes assigning a first item to a first percentage of symbols of the group and assigning a second item to a second percentage of symbols of the group. Applicants submit that amended Claim 29 remains in condition for allowance.

An earnest endeavor has been made to place this application in condition for allowance and is courteously solicited. If the Examiner has any questions related to this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

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